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| APPLICATION NO.        | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------|-------------|----------------------|---------------------|------------------|
| 09/821,502             | 03/29/2001  | Guangdian Guordon Wu | 068508.0102         | 5217             |
| 23640                  | 7590        | 10/18/2005           | EXAMINER            |                  |
| BAKER BOTTS, LLP       |             |                      | COLBERT, ELLA       |                  |
| 910 LOUISIANA          |             |                      | ART UNIT            |                  |
| HOUSTON, TX 77002-4995 |             |                      | PAPER NUMBER        |                  |

3624

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

09/821,502

**Applicant(s)**

WU, GUANGDIAN GUORDON

**Examiner**

Ella Colbert

**Art Unit**

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 45-48 and 55-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 45-48 and 55-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 45-48 and 55-58 are pending. Claims 55-58 have been added in this communication filed 07/25/05 entered as Response After Non-Final Action and Request For Extension of Time.
2. The 35 USC 112 second paragraph rejection has been overcome by Applicants' amendments to claims 45 and 47 and the cancellation of claims 49-54 and is hereby withdrawn.
3. The Objection to the Specification has been overcome by Applicants' amendments to the Specification and is hereby withdrawn.

### ***Claim Objections***

4. The Objection to claims 45, 46, 53, and 54 have been overcome by Applicants' arguments and cancellation of claims 53 and 54 and is hereby withdrawn.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 45- 48, 55, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,025,375) Hall et al, hereafter Hall in view of (US 6,055,513) Katz et al, hereafter Katz

Claims 45, 47, and 55. Hall teaches, A method of executing a financial transaction on a computer system between a user and a third party, said computer system having a personal base instance for said user, a personal base server for said personal base instance, a personal base provider for said third party, and a financial institution, said method comprising the steps of: (a) placing a request post onto said personal base instance by said user (col. 7, lines 6-67); (b) broadcasting said request post to at least one personal base process provider by said personal base server (col. 8, lines 1-16); (c) posting supply responses to said personal base server by said at least one personal base process provider (col. 8, lines 31-42);(d) comparing said responses to said request (col. 9, lines 5-32); (e) determining if a match was found between said responses and said request (col. 9, line 34-col. 10, line 5); and (f) if a match was found in said step (e), then prompting said user to confirm a transaction (col. 9, line 34-col. 10, line 5). Hall failed to teach, (g) if said user confirms said transaction, then sending data about said transaction to said financial institution; (h) determining by said financial institution if said transaction is executable; and (i) if said transaction is executable, then executing said transaction. Katz teaches, (g) if said user confirms said transaction, then sending data about said transaction to said financial institution (col. 18, line 40-col. 19, line 15);(h) determining by said financial institution if said transaction is executable (col. 18, line 49-col. 19, line 15); and (i) if said transaction is executable, then executing said transaction (col. 19, lines 24-58). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have said user confirm said transaction, then sending data about said transaction to said financial institution; (h)

determining by said financial institution if said transaction is executable; and (i) if said transaction is executable, then executing said transaction and to modify in Hall because such a modification would allow Hall to confirm the information that is on the application regarding the transaction then sending it to a financial institution for verification.

Claims 46 and 48. Hall failed to teach, wherein if said transaction is not executable, then sending a disapproval message to said user. Katz teaches, wherein if said transaction is not executable, then sending a disapproval message to said user (col. 21, lines 33-54). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the transaction is not executable, then sending a disapproval message to said user and to modify in Hall because such a modification would allow Hall to allow the user to know if the transaction has not been approved by sending the user a message.

Claim 57. Hall teaches, wherein said at least one base service provider is a personal base service provider (col. 3, line 35-col. 4, line 40).

Claim 58. Hall teaches, at least one base service provider is a company base service provider (col. 2, lines 12-35 and lines 49-61).

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 45-50, 53, and 54 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Urien (US 6,944,650) disclosed a specialized intelligent agent with an instance of the same.

### **Inquiries**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Tuesday-Thursday, 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E. Colbert  
Primary Examiner  
October 17, 2005